

**OFFICIAL FILE**  
**ILLINOIS COMMERCE COMMISSION**

STATE OF ILLINOIS  
ILLINOIS COMMERCE COMMISSION

**ORIGINAL**  
COMMERCE COMMISSION

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CHIEF CLERK'S OFFICE

In the Matter of the Petition of )  
CEO Telecommunications, Inc. for )  
Service Discontinuance Authority )  
\_\_\_\_\_ )

Docket No. 02-0501

**PETITION OF**  
**CEO TELECOMMUNICATIONS, INC.**

1. CEO Telecommunications, Inc. ("CEO" f/k/a L.D.Services, Inc. or "Petitioner"), pursuant to section 220 ILCS 5/13-406, hereby petitions the Illinois Commerce Commission ("Commission") for authority to discontinue the provision of competitive intrastate inter and intraLATA interexchange telecommunications services in the State of Illinois. Petitioner's request results from the acquisition of Petitioner's customer base and related assets by Legent Communications Corporation d/b/a Long Distance America ("Legent"). Petitioner further seeks cancellation of its Certificate of Public Convenience and Necessity ("CPC&N") to institute the requested service discontinuance authority. In support of this Petition, Petitioner states as follows.

2. Petitioner's name, business address and telephone number is:

CEO Telecommunications, Inc.  
223 East De La Guerra Street  
Santa Barbara, CA 93101  
Telephone: 805.963.1619

3. Correspondence or communications concerning this Petition may be addressed to Petitioner's regulatory consultant:

Andrew O. Isar  
Miller Isar, Inc.  
7901 Skansie Avenue, Suite 240  
Gig Harbor, Washington 98335  
Telephone: 253.851.6700  
Facsimile: 253.851.6474

and Petitioner's counsel:

Eric Bohman, Esq.  
CEO Telecommunications, Inc.  
223 East De La Guerra Street  
Santa Barbara, CA 93101  
Telephone: 805.963.1619 extension 1205

4. Petitioner is a non-dominant provider of competitive interLATA interexchange telecommunications services in Illinois and elsewhere. Petitioner was granted a Certificate of Public Convenience and Necessity to operate as a non-facilities-based reseller of interexchange telecommunications services in Illinois in 1992 under the name L.D. Services, Inc., in Docket No. 92-0346.<sup>1</sup> CEO's CPC&N remains in good standing with the Commission. CEO has provided competitive resold telecommunications services to less than 500 Illinois subscribers.

5. On June 14, 2002, Legent notified the Commission of the acquisition of CEO's customer base and related customer account data. Legent's notification stated that this asset acquisition was intended to enable Legent to continue providing resold interexchange telecommunications services to current CEO subscribers as new Legent subscribers. A copy of Legent's notification to the Commission is attached hereto as **Exhibit A**. The Commission Letter of Acknowledgement of Legent's asset transfer notification ("Letter of Acknowledgement") was issued on July 2, 2002. A copy of the Commission's Letter of Acknowledgement is attached hereto as **Exhibit B**.

6. With the culmination of this asset transfer, CEO has determined that it no longer desires to continue providing telecommunications services in the State of Illinois. Following the transfer of assets to Legent, CEO serves no subscribers, does not solicit new subscribers, and accepts no new subscribers in Illinois. Pursuant to section 220 ILCS 5/13-406 and paragraph 2 of the Commission's Letter of Acknowledgement, CEO

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<sup>1</sup> See, also Joint Application for Approval of Agreement and Plan of Merger by and among World Access, Inc., STI Merger Co., Star Telecommunications, Inc., PT-1 Long Distance, Inc. PT-1 Communications, Inc. and CEO Communications, Docket No. 00-0314.

seeks authority to discontinue the provision of intrastate inter and intraLATA interexchange service in Illinois and requests that its CPC&N be cancelled, accordingly.

7. Written notice of Legent's customer base acquisition and assumption of service responsibilities to CEO subscribers was prepared pursuant to applicable federal regulation, 47 CFR §64.1120(e), and provided to CEO subscribers on or before June 7, 2002. CEO subscribers were notified that Legent would become their primary interexchange carrier, that subscribers would assume no cost associated with the transfer of accounts, and that subscribers retained the right to elect alternative service providers if they did not wish to be served by Legent. A copy of the subscriber notification is attached to Legent's June 14, 2002 asset transfer notification to the Commission at Exhibit A. The asset transfer date was July 15, 2002, according CEO subscribers more than 30 days notice of the transaction and Petitioner's discontinuance of service, pursuant to 220 ILCS 5/13-406.

8. Petitioner has determined it no longer desires to provide intrastate inter and intraLATA telecommunications services in the State of Illinois following the culmination of its customer base and related asset acquisition by Legent. Petitioner has complied with applicable customer notification and service discontinuance obligations. Petitioner maintains that its request for service discontinuance is consistent with the public interest and in no way impacts the public.

WHEREFORE, CEO Telecommunications, Inc. respectfully requests, therefore, authority to discontinue service and cancellation of its CPC&N as soon as practicable.

(Signature follows)

Respectfully submitted this 1st day of August, 2002


CEO TELECOMMUNICATIONS, INC.

By: Eric Bohman  
*for Andrew O. Lee, Andrew O. Lee*  
Eric Bohman  
223 East De La Guerra Street  
Santa Barbara, CA 93101  
Telephone: 805.963.1619

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**SUMMER BILLINGS**  
 Commission # 1341570  
 Notary Public - California  
 Santa Barbara County  
 My Comm. Expires Jan 27, 2006

# **CEO TELECOMMUNICATIONS, INC.**

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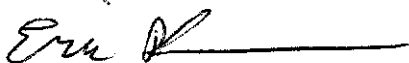
December 6, 2001

To Whom It May Concern:

Please be advised that in order to facilitate a timely closing of the proposed transaction between Legent Communications, Inc. ("Legent") and CEO Telecommunications, Inc. ("CEO"), this letter shall serve as notice that CEO hereby grants to Andrew Isar, of Miller Isar, Inc. the authority to sign all regulatory documents on behalf of CEO's Secretary, Eric Bohman, that pertain to Legent's acquisition of CEO's customer base. Please be advised however that this authority shall apply only to regulatory notifications and that any other notice, document or correspondence of any other nature that requires CEO's signature will be considered on a case by case basis.

Thank you for your continued assistance in this matter.

Very truly,

A handwritten signature in cursive script, appearing to read "Eric Bohman", followed by a horizontal line.

Eric Bohman, Esq.  
Corporate Secretary  
CEO Telecommunications, Inc.

EXHIBIT A

LEGENT COMMUNICATIONS CORPORATION  
D/B/A LONG DISTANCE AMERICA

COMMISSION NOTIFICATION OF ASSET TRANSFER  
AND  
CUSTOMER NOTICE

# MILLER ISAR INC.

REGULATORY CONSULTANTS

ANDREW O. ISAR

7901 SKANSIE AVENUE,  
SUITE 240  
GIG HARBOR, WA 98335  
TELEPHONE: 253.851.6700  
FACSIMILE: 253.851.6474  
HTTP://WWW.MILLERISAR.COM

Via Overnight Delivery

June 14, 2002

Ms. Donna M. Caton  
Chief Clerk  
Illinois Commerce Commission  
527 East Capitol Avenue  
Springfield, Illinois 62701

RE: Legent Communications Corporation d/b/a Long Distance America Notification of Asset Transfer

Dear Ms. Caton:

Legent Communications Corporation ("Legent") d/b/a Long Distance America, by its regulatory consultant, hereby notifies the Illinois Commerce Commission ("Commission") of the acquisition of the customer base and related customer account data of CEO Communications, Inc. ("CEO" f/k/a L.D. Services, Inc.). This transaction is considered non-jurisdictional pursuant to section 13-601 of the Illinois Public Utilities Act<sup>1</sup> governing providers of competitive telecommunications services. Legent is acquiring such CEO assets with the intent of continuing to providing resold interexchange telecommunications services to CEO's current subscribers as new Legent subscribers.

**Identification of Affected Companies.** Legent is a corporation organized under the laws of the State of California with its principal place of business at 8001 Irvine Center Drive, Suite 1140, Irvine, CA 92618-2992. Legent was granted authority to operate as a non-facilities-based reseller of interexchange telecommunications services within the State of Illinois on April 24, 2002 in Docket No. 02-0109.

CEO is a corporation organized under the laws of the State of California with its principal place of business located at 223 East De La Guerra Street, Santa Barbara, CA 93101. CEO was granted authority to operate as a non-facilities-based reseller of interexchange telecommunications services within the State of Illinois in 1992 in Docket No. 92-0346.

**Description of Transferred Assets.** Legent hereby notifies the Commission of CEO's intent to sell, and Legent's intent to acquire, certain CEO assets including CEO's customer base. Such assets primarily include CEO's base of customers and related data, databases, and customer records. No physical assets are being acquired by Legent. Legent states that the proposed asset acquisition is intended exclusively to enable Legent to continue providing resold interexchange telecommunications services to current CEO subscribers as new Legent subscribers.

<sup>1</sup> 220 ILCS 5/13-601



Ms. Donna M. Caton  
June 14, 2002  
Page 2

CEO has determined that it no longer desires to continue serving telecommunications subscribers in the State of Illinois. It is the strategic interest of Legent to expand its operations through the acquisition of CEO assets as requested herein. Through the stated acquisition, current CEO subscribers will continue to receive uninterrupted interexchange telecommunications services and will benefit from a variety of added features and support provided by Legent. The transaction is exclusively an acquisition and does not involve a merger or consolidation. Notice of the transaction has been prepared pursuant to Federal Communications Commission rule, 47 CFR §64.1120(e), and provided to CEO customers via First Class United States mail. A copy is attached. Subscribers have been informed *inter alia* that no cost is associated with the transfer of accounts, and of the subscriber's right to elect another carrier.

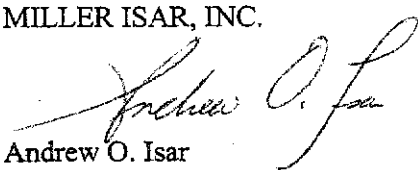
Legent maintains that the transfer of assets between providers of competitive services is non-jurisdictional pursuant to section 13-601 of the Illinois Public Utilities Act, 220 ILCS 5/13-601.

**Inapplicability of Carrier Selection Rules.** For the exclusive purpose of this asset transfer, Legent requests that section 13-902 of the Illinois Public Utilities Act,<sup>2</sup> Rules for verification of a subscriber's change in telecommunications carrier or addition to a subscriber's service, be deemed inapplicable. Because the transfer of CEO assets does not constitute a change in CEO subscribers' primary carrier, but rather a transfer of service from CEO to Legent as the primary carrier, a primary interexchange carrier change will not occur. No additional verification associated with Legent's acquisition of CEO assets is, therefore, necessary as Legent in effect takes the place of CEO as the subscribers' primary interexchange carrier. CEO subscriber primary carrier selections were verified at the time CEO subscribers elected CEO as their primary carrier, in accordance with Federal Communications Commission primary carrier verification rules,<sup>3</sup> and section 13-902. A second verification of the customer's primary carrier subscription is unnecessary and will accord subscribers no added protection.

Thank you for your attention to the matter. Questions may be directed to the undersigned.

Respectfully submitted,

MILLER ISAR, INC.



Andrew O. Isar

Regulatory Consultants to  
Legent Communications Corporation

cc: Mr. Scott A. White  
Mr. Eric Bohman, Esq.

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<sup>2</sup> 220 ILCS 5/13-902

<sup>3</sup> 47 C.F.R. §64.1100 *et seq.*, Changes in Subscriber Carrier Selections.



## IMPORTANT CUSTOMER NOTICE

LEGENT COMMUNICATIONS CORPORATION [D/B/A LONG DISTANCE AMERICA] WILL BEGIN PROVIDING YOUR LONG DISTANCE SERVICE FOLLOWING REGULATORY APPROVALS. SERVICE AND RATES WILL NOT BE AFFECTED

Dear Customer:

Legent Communications Corporation [d/b/a Long Distance America] (Legent) is pleased to announce its acquisition of the assets of CEO Telecommunications, Inc. d/b/a Long Distance Services\*, your present provider of long distance services. Your current service features and rates WILL NOT CHANGE. This acquisition will enable you to begin receiving the highest quality telecommunications services available and responsive customer service from Legent, a company with more than a decade of telecommunications experience.

This change is expected to occur within 30 to 60 days, pending approval by the state public utility/public service commission. There is no cost associated with the transfer of your service to Legent. You will continue to receive your current long distance services and features with no change in rates. A summary of Legent's full service offerings with terms and conditions can be found at [www.ldservices.info](http://www.ldservices.info), or by calling 888-478-8724. We have taken all necessary steps to ensure a seamless transition of your long distance services to Legent. If you have any questions, please contact us at: Legent Communications Corporation, P.O. Box 50008, Irvine, CA 92619-0008 or 1.888.478.8724.

We soon expect to introduce new and innovative products and services designed to bring you added value and savings. You should be aware that you have an option to change long distance provider. If you would like to change service providers, you should do so on or before July 15, 2002, otherwise your service will automatically convert to Legent following regulatory approval. Any future changes in rates, terms, and conditions of service will be made in accordance with applicable Federal Communications Commission and state regulatory commission regulations. Legent will not be responsible for any pending regulatory complaints filed before Legent begins providing your service. The disposition of those complaints remains the responsibility of CEO Telecommunications, Inc. If you have any questions regarding outstanding complaints, you may contact your state's regulatory commission consumer affairs division.

On behalf of Legent and its dedicated employee team, welcome as a new Legent customer. We realize you have a choice of providers and appreciate your business.

Sincerely,

Legent Communications Corporation [d/b/a Long Distance America]

Scott A. White  
President

\* where available

P.O. Box 50008, Irvine, CA 92619-0008  
Phone 949-753-7000 - Fax 949-753-7267

EXHIBIT B

ILLINOIS COMMERCE COMMISSION  
LETTER OF ACKNOWLEDGEMENT  
OF  
LEGENT COMMUNICATIONS CORPORATION  
D/B/A LONG DISTANCE AMERICA  
COMMISSION NOTIFICATION OF ASSET TRANSFER

RECEIVED JUL 8 2002



## ILLINOIS COMMERCE COMMISSION

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July 2, 2002

Andrew O. Isar  
Miller Isar Inc.  
Suite 240  
7901 Skansie Avenue  
Gig Harbor, WA 98335

Dear Mr. Isar:

Receipt is acknowledged of your notification of the transfer of assets of CEO Telecommunications, Inc. to Legent Communications Corporation d/b/a Long Distance America.

Please be advised that the present certificate of service authority held by CEO Telecommunications, Inc. will remain active until such time as a petition is filed with our agency requesting cancellation of said certificate. Upon the Commission granting such a petition, their authority will then be cancelled. This is the proper procedure for an entity to surrender their authority to operate as a telecommunications carrier in the State of Illinois. Until such time as the authority is cancelled, CEO Telecommunications, Inc. will be responsible for the filing of all required documentation, etc. required by this agency.

Also be advised that Legent Communications Corporation d/b/a Long Distance America has not complied with providing our agency with their Chief Executive Officer and Designated Agent information as required by 83 Ill. Adm. Code Part 215.

If you have any questions regarding this matter, please contact Meri L. Sanders of my Staff at 217/782-5669.

Sincerely,

A handwritten signature in cursive script that reads "Donna M. Caton".

Donna M. Caton  
Chief Clerk

Enc.  
mls